S.B.Civil Writ Petition NO.2447/2005

Shankar Lal vs. State of Raj. and anr.

DATE OF ORDER : - 27.4.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. Hemant Srimali, for the petitioner.

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Heard learned counsel for the petitioner.

According to learned counsel for the petitioner, the petitioner was served with notice Annex.1 and the petitioner thereafter deposited Rs.18,500/- vide receipt Annex.2 and now the respondents are demanding total Rs.3,25,000/-. According to learned counsel for the petitioner, the petitioner has not been provided the copies of the accounts by the respondent Bank and the respondent Bank has already seized the tractor of the petitioner.

It appears from the documents placed on record by the petitioner himself that the petitioner was given full information about his loan position. In Annex.1 itself, it is clearly mentioned that what is the principal amount and what is interest ? The rate of interest has also been mentioned in Annex.1 and after calculating the amount due as on

31.12.2004, the total amount due in the petitioner was Rs.2,13,203/-. The petitioner's contention that thereafter he deposited Rs.18,500/- appears to be wrong as the receipt produced by the petitioner is of 24.6.2002, therefore, no ground is made out for interference in such a situation.

After going through the facts of the case, I do not find any merit in the writ petition and accordingly the same is hereby dismissed.

(Prakash Tatia), J.

s.phophaliya/-